

agency” to conform to the terminology used throughout this subtitle.

The Criminal Procedure Article Review Committee notes, for consideration by the General Assembly, that in subsection (b) of this section, the requirement that only “the State” return part of the proceeds and any costs to the owner may be too narrow. The General Assembly may wish to apply this requirement to other governing bodies as well.

Defined terms: “Owner” § 12-101

“Proceeds” § 12-101

“Property” § 12-101

“Seizing authority” § 12-101

12-504. REDEMPTION OF INTEREST OR REPOSSESSION OF PROPERTY.

(A) NOTICE OF REDEMPTION.

IF THE INTEREST OF THE OWNER IN PROPERTY THAT HAS BEEN SEIZED UNDER THIS TITLE IS REDEEMED, THE LIENHOLDER SHALL MAIL A NOTICE OF THE REDEMPTION TO THE FORFEITING AUTHORITY WITHIN 10 DAYS AFTER THE REDEMPTION.

(B) PROPERTY RETURNED TO SEIZING AUTHORITY BEFORE FORFEITURE.

(1) IF PROPERTY THAT HAS BEEN SEIZED UNDER THIS TITLE HAS BEEN REPOSSESSED OR OTHERWISE LAWFULLY TAKEN BY THE LIENHOLDER, THE LIENHOLDER SHALL RETURN THE PROPERTY TO THE SEIZING AUTHORITY WITHIN 21 DAYS AFTER THE REDEMPTION.

(2) THE SEIZING AUTHORITY AND THE FORFEITING AUTHORITY MAY THEN PROCEED WITH THE FORFEITURE OF THE PROPERTY OR THE PROCEEDS FROM THE SALE OF THE PROPERTY.

(C) TIME LIMITATIONS.

TIME LIMITATIONS REQUIRED UNDER THIS TITLE FOR NOTICE AND FILING OF THE COMPLAINT FOR FORFEITURE RUN FROM THE DATE OF REDEMPTION OR PURCHASE OF THE PROPERTY THAT HAS BEEN SEIZED UNDER THIS TITLE.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 27, § 297(r)(5).

In subsections (a), (b)(1), and (c) of this section, the references to property “that has been seized under this title” are added for clarity. Similarly, in subsection (b)(2) of this section, the reference to the proceeds “from the sale of the property” is added.

In subsection (b) of this section, the references to the defined term “seizing authority” are substituted for the former references to the “seizing agency” to conform to the terminology used throughout this title.

Defined terms: “Forfeiting authority” § 12-101

“Lienholder” § 12-101